

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CITY OF BENKELMAN,  
NEBRASKA, A Political  
Subdivision,

Plaintiff,

v.

BASELINE ENGINEERING  
CORPORATION, A Colorado  
Corporation, and LAYNE  
CHRISTENSEN COMPANY, A  
Delaware Corporation,

Defendants.

7:15CV5003

ORDER

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After consultation with Magistrate Judge Zwart,

IT IS ORDERED that:

(1) All matters surrounding the question regarding the trial to determine whether the City of Benkelman and Baseline Engineering Corporation are subject to binding arbitration, including discovery, progression and pretrial conferences, will be handled by the undersigned and not Judge Zwart.

(2) As indicated in my previous order, the parties are encouraged to stipulate to as much as they can to avoid the necessity of pretrial proceedings regarding the (ironic) trial to determine whether we should have a trial.

(3) No further action is required by Defendant Layne Christensen Company. To be precise, the action between the City of Benkelman and Layne Christensen

Company, along with Christensen's counter claims against the City, remain pending but are stayed.

DATED this 15<sup>th</sup> day of February, 2018.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge